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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,695	12/15/2000	Lawrence S. Uzelac	042390.P9945	9958

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03/25/2004

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EXAMINER

CHANDRASEKHAR, PRANAV

ART UNIT	PAPER NUMBER
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2115

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DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/738,695

Applicant(s)

UZELAC, LAWRENCE S.

Examiner

Pranav Chandrasekhar

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2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/15/2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 13 is objected to because of the following informalities:

Claim 13 is an exact repetition of claim 12.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,4,5,8,11,17,14,18,21 and 24 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Young et al [US Pat No. 5,920,219].

3. As per claims 1,8,14 and 21, Young teaches a circuit configured to receive an input clock signal and to generate an output phase at a predetermined time relative to said input clock signal and dependent on a logic phase width of said input clock signal [col. 1 lines 40-44; col. 4 lines 9-15. Since the output phase is dependent only on the phase width of the input clock signal, it is evident that the time of the output is also predetermined on the basis of the logic phase width of the input clock signal].

4. As per claims 4,5,11,17,18 and 24, Young teaches a comparator comparing a first and second signal provided by the circuit and generating an output phase dependent on the comparison of the two signals [col. 5 lines 53-61; col. 15 line 56 – col. 16 line 4. The signal to the positive terminal of the comparator is viewed as the first

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signal. The reference voltage of the comparator is viewed as the second signal. The output phase of the circuit is dependent on the output of the comparator].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2,6,7,9,12,13,15,19,20,22,25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al [US Pat No. 5,920,219].

6. As per claims 2,9,15 and 22, Young does not explicitly teach the predetermined time of the output being relative to one of a rising edge of said input clock signal, and a falling edge of said input clock signal.

It would have been obvious to modify the teachings of Young to facilitate the predetermined time of the output being relative to one of a rising edge of said input clock signal, and a falling edge of said input clock signal since the phase width of the clock signal is determined by the rising and falling edge of the clock signal.

7. As per claim 6,12,13,19 and 25, Young does not explicitly teach the apparatus being cascaded with at least one reproduction of said apparatus, and configured to provide a multiple of said input clock signal.

It would have been obvious to modify the teachings of Young to cascade the said apparatus with at least one reproduction of said apparatus, and configured to

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provide a multiple of said input clock signal in order to provide a frequency multiplied clock signal that is dependent on the phase width of the input clock signal.

8. As per claim 7, 20 and 26, Young does not explicitly teach said apparatus being coupled in parallel with at least one reproduction of said apparatus, and configured to provide at least two of said output phase generated in parallel during said input clock signal.

It would have been obvious to one skilled in the art to modify the teachings of Young to couple said apparatus with at least one reproduction of said apparatus, and configured to provide at least two of said output phase generated in parallel during said input clock signal.

9. Claims 3, 10, 16 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al [US Pat No. 5,920,219] in view of Shoji [US Pat No. 5,578,952].

Young does not explicitly teach two similar circuit component units that are unequal wherein the predetermined time of output is further dependent on the units ratio of at least two similar circuit components.

Shoji teaches two similar circuit component units that are unequal wherein the predetermined time of output is further dependent on the units ratio of at least two similar circuit components [col. 2 lines 44-50].

It would have been obvious to one skilled in the art to combine the teachings of Young and Shoji to facilitate the predetermined time of output to be dependent on a ratio of circuit components as opposed to absolute values of circuit components since

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the variable tolerance of circuit components from one integrated circuit to another differs significantly whereas the ratio of unit values of circuit components do not differ significantly from one integrated circuit to another thus ensuring an accurate and predictable output phase.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pranav Chandrasekhar whose telephone number is 703-305-8647. The examiner can normally be reached on 8:30 a.m.-5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on 703-305-9717. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2100.

Pranav Chandrasekhar
March 18, 2004



THOMAS LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100